

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:19-cr-232-BO(1)

FILED IN OPEN COURT  
ON 6-7-19 *me*  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

UNITED STATES OF AMERICA

vs.

MICHAEL WYATT COLLIUS

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Attempted Coercion and Enticement of a Minor)

Beginning on or about May 1, 2018, and continuing through on or about May 3, 2018, in the Eastern District of North Carolina, the defendant, MICHAEL WYATT COLLIUS, did knowingly use any facility and means of interstate and foreign commerce to attempt to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, Minor-1, to engage in any sexual activity for which any person can be charged under North Carolina state law, that is, indecent liberties with a child (N.C.G.S. § 14-202.1) and under federal law, that is, production of child pornography (18 U.S.C. § 2251(a)); in violation of Title 18, United States Code, Section 2422(b).

COUNT TWO

(Receipt of Child Pornography)

On or about May 3, 2018, in the Eastern District of North Carolina,

MICHAEL WYATT COLLIUS, the defendant herein, did knowingly receive visual depictions, that is, digital images in files that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by electronic device. The productions of these visual depictions involved the use of one or more minors engaging in sexually explicit conduct and were depictions of such conduct. All in violation of Title 18, United States Code, Section 2252A(a)(2).

**COUNT THREE**

(Possession of Child Pornography)

On or about May 3, 2018, in the Eastern District of North Carolina, MICHAEL WYATT COLLIUS, the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and digital media containing digital images and videos, the production of which involved the use of one or more minors, including minors who had not attained 12 years of age, engaging in sexually explicit conduct, and which images visually depicted such conduct. The images and videos had been mailed, shipped and transported in interstate and foreign commerce and by use of means and facilities of interstate commerce, i.e., the Internet, and were produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

### **FORFEITURE NOTICE**

The named defendant is hereby given notice that all of the defendant's interest in all property specified herein is subject to forfeiture.

Upon conviction of one or more of the offense(s) set forth in Count One, MICHAEL WYATT COLLIUS, the defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2428, any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such offense(s); and any property, real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such offense(s).

Upon conviction of one or more of the offenses set forth in Counts Two and Three, MICHAEL WYATT COLLIUS, the defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s) or any property traceable to such property.

The forfeitable property includes, but is not limited to:

1. Apple iPhone 5C, Model A1532, IMEI: 358534055107201

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), through Title 18, United States Code, Sections 2253 or 1467, whichever may be applicable, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

**REDACTED VERSION**

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

For person

Date: 6-6-19

ROBERT J. HIGDON, JR.  
United States Attorney



BY: MELISSA BELIE KESSLER  
Assistant United States Attorney